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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,488	10/15/2003	Eduard K. de Jong	SUN-040204	7966

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EXAMINER	
MORAN, RANDAL D	
ART UNIT	PAPER NUMBER
2135	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/687,488	DE JONG, EDUARD K.	
	Examiner	Art Unit	
	Randal D. Moran	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 May 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-88* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-88* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *1/16/2007, 4/17/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-88 are pending in this application.

2. The Information Disclosure Statements filed on 1/16/2007 and 4/17/2007 have been considered by the examiner.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1-3, 6, 10-12, 15, 21-23, 26, 30-32, 35, 41-43, 46, 50-52, 55, 61-63, 66, 78-80, and 83** are rejected under 35 U.S.C. 102(b) as being anticipated by **Murphy (US 6,226,744)**, hereafter "Murphy."

3. Murphy is cited by the applicant in an IDS paper filed on 1/2/2004.

4. Considering **Claims 1, 21, 41, and 61,** Murphy discloses a method for digital content access control (abstract- lines 1-5), comprising: determining, on a user device, digital content to be made accessible via a rights locker (column 3- lines 35-36); determining, on said user device, enrollment authentication data (column 4- lines 1-7); sending, from said user device, a rights locker enrollment request to a rights locker provider (column 3- lines 35-36), said rights locker enrollment request comprising a digital content request and said enrollment authentication data (column 3- lines 35-36, column 4- lines 1-7); receiving, on said user device, one or more authenticated rights locker access requests in response to said sending (column 5- lines 55-60), said one or more authenticated rights locker access requests for subsequent use in accessing digital content associated with said rights locker (column 7- lines 26-28, column 6- lines 56-61); receiving, on said user device, an indication of a selection of one of said one or more authenticated rights locker access requests (column 3- lines 35-36, column 6- lines 50-54, requesting a PIN from the user establishes that the user is selecting to retrieve the information requested from the server); sending, from said user device, said authenticated rights locker access request to a rights locker provider (column 3- lines 35-36); and receiving, on said user device, a result in response to said sending said authenticated rights locker access request (column 6- lines 46-47, the result is that the user is granted access to the restricted information).

5. Considering **Claims 10, 30, 50, and 78,** Murphy discloses a method for digital content access control (abstract- lines 1-5), comprising: receiving, by a rights locker provider, a rights locker enrollment request from a user device associated with a user (column 3- lines 35-36), said rights locker enrollment request comprising a digital content request and enrollment authentication data (column 3- lines 35-36, column 4- lines 1-5); determining, by said rights locker provider, whether said user is authorized (column 6- lines 8-11 and 43-49), said determining comprising determining the rights of said user to access said rights locker and the rights of said user to digital content specified by said digital content request (column 6- lines 1-7); if said user is authorized, initializing, by said rights locker provider, said rights locker with rights to said digital content (column 6- lines 43-47); obtaining, by said rights locker provider, one or more tokens that authenticate future access to a rights locker corresponding to said digital content (column 5- lines 55-60, column 6- lines 56-61); creating, by said rights locker provider, one or more authenticated rights locker access requests based at least in part on said one or more tokens (column 5- lines 55-60); sending, by said rights locker provider, said one or more authenticated rights locker access requests (column 3- lines 35-36); receiving, by said rights locker provider, an indication of a user selection of one of said one or more authenticated rights locker access requests (column 3- lines 35-36, column 6- lines 50-54, requesting a PIN from the user establishes that the user is electing

to retrieve the information requested from the server); and accessing the contents of said rights locker according to a type of said rights token (column 7-lines 22-28, accessing, by said rights locker provider, content based on the SSN is shown, it is also shown that this could be done using tickets, certificates, or keys which can be read as tokens).

6. Considering **Claims 2, 11, 22, 31, 42, 51, 62, and 79,** Murphy discloses digital content request comprises a request for initializing said rights locker with rights to specified digital content (column 3, lines 35-36).

7. Considering **Claims 3, 12, 23, 32, 43, 52, 63, and 80,** Murphy discloses enrollment authentication data comprises: rights locker access authentication data for determining what rights, if any, a user of said user device has to access said rights locker (column 6, lines 43-47); and rights content access authentication data for determining what rights, if any, said user has to digital content associated with said rights locker (column 6, lines 43-47).

8. Considering **Claims 6, 15, 26, 35, 46, 55, 66, and 83,** Murphy discloses enrollment authentication data comprises a reenrollment key determined in a previous enrollment request for said rights locker (column 7, lines 22-28), said reenrollment key for supplementing or replacing enrollment authentication data

of said previous enrollment request (column 6, lines 56-61, column 7, lines 22-28).

9. Considering **Claim 67,** Murphy discloses apparatus comprises a smart card (abstract, lines 1-5).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claims 4, 5, 13, 14, 16, 24, 25, 33, 34, 36, 44, 45, 53, 54, 56, 64, 65, 81, 82, and 84** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Murphy** in view of **Hendrick (US 7,083,095)**, hereafter "Hendrick."

3. Considering **Claims 4, 13, 24, 33, 44, 53, 64, and 81,** Murphy does not disclose rights locker access authentication data comprises payment for use of a rights locker service.

Hendrick does disclose rights locker access authentication data comprises payment for use of a rights locker service (column 11, lines 44-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Murphy with the payment method taught by Hendrick in order to protect the rights of creators and publishers along with their content, collect their payments, and maintain their profits while providing consumers with easier access to content and lower prices (Hendrick- column 13, lines 7-10).

4. Considering **Claims 5, 14, 25, 34, 45, 54, 65, and 82,** Murphy does not disclose rights content access authentication data comprises payment for rights deposited in said rights locker.

Hendrick discloses rights content access authentication data comprises payment for rights deposited in said rights locker (column 13, lines 7-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Murphy with the payment method taught by Hendrick in order to protect the rights of creators and publishers along with their content, collect their payments, and maintain

their profits while providing consumers with easier access to content and lower prices (Hendrick- column 13, lines 7-10).

5. Considering **Claims 16, 36, 56, and 84,** Murphy does not disclose determining comprises determining whether said user is entitled to become an enrolled user based at least in part on whether payment for use of the rights locker service succeeds.

Hendrick discloses determining comprises determining whether said user is entitled to become an enrolled user based at least in part on whether payment for use of the rights locker service succeeds (column 13, lines 11-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Murphy with the payment method taught by Hendrick in order to protect the rights of creators and publishers along with their content, collect their payments, and maintain their profits while providing consumers with easier access to content and lower prices (Hendrick- column 13, lines 7-10).

6. Considering **Claims 17, 37, 57, and 85,** Murphy does not disclose determining whether an enrolled user is entitled to populate said rights locker with rights to

said digital content based at least in part on whether payment for said rights succeeds.

Hendrick discloses determining whether an enrolled user is entitled to populate said rights locker with rights to said digital content based at least in part on whether payment for said rights succeeds (column 13, lines 11-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Murphy with the payment method taught by Hendrick in order to protect the rights of creators and publishers along with their content, collect their payments, and maintain their profits while providing consumers with easier access to content and lower prices (Hendrick- column 13, lines 7-10).

7. **Claims 7, 18, 27, 38, 47, 58, 75, and 86** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Murphy** in view of **Mohler (US 6,601,173)**.

8. Considering **Claims 7, 18, 27, 38, 47, 58, 75, and 86,** Murphy does not disclose storing at least part of said one or more authenticated rights locker access requests in a bookmark on said user device.

Mohler discloses storing at least part of said one or more authenticated rights locker access requests in a bookmark on said user device (abstract, lines 19-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Murphy with a bookmark to store user authentication information as taught by Mohler for the benefit of automating the user's access to a particular website. The user, already having been password admitted, simplyclicks on the desired bookmark and the computer system automatically access the identified Internet website without further input from the user (Mohler- abstract, lines 26-30).

9. **Claims 8, 19, 28, 39, 48, 59, 76, and 87** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Murphy** in view of ***Steven W. Disbrow.*** **Use cookies to maintain state in Web applications. Active Server Developer's Journal. Louisville: Sep 2000. Vol. 4. Iss. 9; pg. 7, 3 pgs.** Hereafter "Disbrow."

10. Considering **Claims 8, 19, 28, 39, 48, 59, 76, and 87,** Murphy does not disclose one or more authenticated rights locker access requests are embedded in a Web cookie.

Disbrow discloses one or more authenticated rights locker access requests are embedded in a Web cookie (Full Text, ¶ 3, lines 2-4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Murphy with using cookies to imbed personal information as taught by Disbrow for the benefit of remembering a particular visitor so that forms he filled out, selections and preferences he made, and other personalized information wouldn't have to be re-entered each time he visited the site (Disbrow- Full Text, ¶ 3, lines 2-4)

11. **Claims 9, 20, 29, 40, 49, 60, 77, and 88** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Murphy** in view of **Weissman (US 2002/0156905)**, hereafter "Weissman."

12. Considering **Claims 9, 20, 29, 40, 49, 60, 77, and 88,** Murphy does not disclose one or more authenticated rights locker access requests are encapsulated in an HTTP Response message.

Weissman discloses one or more authenticated rights locker access requests are encapsulated in an HTTP Response message ([0035] lines 10-22, [0036]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Murphy with encapsulating user authentication information in a http response message as taught by Weissman for the benefit of appending authentication credentials stored in the logon database and other information extracted from the previously received HTTP responses.

13. **Claims 68-74** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Murphy.**

14. Considering **Claims 68-74,** Murphy does not explicitly disclose a wide range of different types of smart cards.

Murphy does suggest a smart card is a device that is typically the size of a credit card, having a microprocessor and limited storage memory (column 2, lines 46-48).

Therefore, it would have been obvious at the time of the invention to use Murphy with the wide range of different types of smart cards for the benefit of having a system that is usable on a wide variety of designs and platforms.

Response to Arguments

1. Applicant's arguments filed 5/1/2007 have been fully considered but they are not persuasive.

2. Regarding **Claims 1, 21, 41, and 61,** applicants arguments have been fully considered but they are not persuasive. With respect to applicants argument that Murphy fails to teach the operations occur on a single device and not multiple devices. Examiner disagrees and directs the applicant to Murphy- column 3- lines 35-36, column 4- lines 1-7, column 5- lines 42-46 and 55-60, column 6- lines 43-47 and 56-61, column 7- lines 5-7 and 25-28, Fig. 3. Furthermore, the operations recited in the claims portray a communication between a user device and a rights locker provider that is modeled by the communication between the server and PC with corresponding smart card interface described by Murphy. Murphy also suggests that although specific functions were enumerated for the authentication module and smart card interface module, it can be appreciated that the functions for each separate module could be combined into a single module and still fall within the scope of the invention (Murphy- column 15- lines 1-5).

Murphy discloses the client sends a request to the server to access restricted information stored by the server, which indicates that the requested data is determined on the user device.

Murphy further discloses that the enrollment authentication data is stored on the smart card and sent to the server (i.e. sending, from a user device, a rights locker enrollment request).

Murphy goes on to disclose receiving tokens from a certificate authority (i.e. receiving, on said user device, one or more authenticated rights locker access requests).

An indication of a selection of one of said one or more authentication rights locker access requests is suggested in the original request and the granting of said initial request. Murphy discloses the user requests access to specific information in the restricted server. The server requests a PIN from the user, which establishes that the user is selecting to retrieve the information originally requested. That the server responds by granting access to that information indicates that the server has indicated the selection of the specific request initiated by the user.

Finally. Murphy discloses that once the user has been authenticated, the authentication module grants the user access to the restricted information (i.e. a result).

3. Regarding **Claims 10, 30, 50, and 78,** applicants arguments have been fully considered but they are not persuasive for the same reasons as stated above.

Conclusion

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randal D. Moran whose telephone number is 571-270-1255. The examiner can normally be reached on M-F: 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Randal D. Moran

7/19/2007

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